



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE

FROM: OFFICE OF THE COMMISSION SECRETARY *D.H.*

DATE: February 11, 2005

SUBJECT: COMMENT: DRAFT AO 2004-43

Transmitted herewith is a timely submitted comment by the National Association of Broadcasters regarding the above-captioned matter.

Proposed Advisory Opinion 2004-43 is on the agenda for Monday, February 14, 2005.

Attachment



Legal Department

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February 11, 2005

Via Facsimile: (202) 208-3333

Mary Dove
 Secretary
 Federal Election Commission
 999 E Street, N.W.
 Washington, D.C. 20463

Re: Draft AO 2004-43

Dear Ms. Smith:

The National Association of Broadcasters ("NAB")¹ submits these comments in response to the above-captioned draft advisory opinion, released for public comment on February 8, 2005. NAB supports the position of the Missouri Broadcasting Association ("MBA")² that a broadcaster should be permitted to offer the Lowest Unit Charge ("LUC") to a political candidate even if the candidate fails to comply with the BCRA "stand-by-your-ad" disclaimer requirements in one of his advertisements,³ and therefore is no longer "entitled" to the LUC for the remainder of the campaign.⁴

Resolving this question turns on a review of a broadcaster's general discretion to establish advertising rates, both commercial and political. Thus, in a letter to the MBA, dated December 21, 2004, the Commission set forth certain questions concerning broadcasters' rate-setting mechanisms. NAB believes it can help illuminate these practices from an industry-wide standpoint.

¹ NAB is a nonprofit, incorporated association that serves and represents America's radio and television broadcast stations.

² Letter from Gregg P. Skall, Counsel to the Missouri Broadcasters Association, to Rosemary C. Smith, Assistant General Counsel, Federal Election Commission (Jan. 21, 2005) ("MBA Letter"); Erratum Letter from Greg A. Skall to Rosemary C. Smith (Feb. 4, 2005).

³ Bipartisan Campaign Reform Act of 2002 ("BCRA"), P.L. 107-155, 116 Stat. 81 (March 27, 2002).

⁴ BCRA amended section of 315(b) of the Communications Act of 1934, 47 U.S.C. § 315(b), such that a Federal candidate "shall not be entitled" to the LUC if any of his advertisements makes a direct reference to an opponent, but fails to comply with certain new requirements, including a statement by the candidate that indicates his approval of the advertisement.

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1. *Describe in detail how broadcasters establish advertising rates for advertisers other than political candidates. Provide details regarding different classes of advertising, including classes of preemptible and non-preemptible time.*

Explaining how broadcasters typically establish advertising rates is not a simple task. Broadcasters use many different practices depending on the size of their station or their corporate structure. Moreover, a wide range of factors can affect advertising rates, including some that are within a broadcaster's control, such as the popularity of a station's programming, and others that are not, such as the health of the economy. Nevertheless, we will attempt to provide an overview of how broadcasters typically establish advertising rates.

As a general matter, radio advertising is divided into three categories: local, national, and network. Local ads are, as the name implies, ads targeted within the local market. National ads would include national advertising campaigns aired on local stations. Network ads are those on the various syndicated or national radio networks and programming services. Radio networks may provide packages of national news, features, or sports.⁵

Television advertising operates somewhat similarly. Local, regional and national spot advertising comprise almost all of a television station's income. Affiliates of the large networks sometimes receive network compensation, which is essentially money to compensate an affiliate for the lost opportunity to sell advertising during network time periods. Network compensation has been drastically reduced in recent years as networks exercise increased leverage over station affiliates.⁶

As the MBA describes, advertising spots are generally placed in a variety of classes, which typically refer to categories such as fixed-position, run-of-schedule ("ROS"), weekly or other spot rotations, and preemptible. Within the preemptible category, many stations will have multiple sub-categories that differ depending on the predicted amount of risk of preemption; thus, there may be a sub-category for preemptible with notice, immediately preemptible, and the like. For instance, a station may sell a commercial spot that has a 25% chance of being preempted for \$200, a spot that has a 50% change of being preempted for \$100, and a spot with a 75% chance of being preempted for \$50.⁷ Note, however, the predicted risk of preemption must be fully disclosed in advance to both commercial and political candidates purchasing advertising spots.

⁵ Alan B. Albarran and Gregory G. Pitts, *The Radio Broadcasting Industry*, 105 (2001) ("Radio Industry").

⁶ James Walker and Douglas Ferguson, *The Broadcast Television Industry*, 86 (1998) ("TV Industry").

⁷ However, if a station sells commercial time only by auction, then there can be only one level of preemptibility so that any spot may be preempted by another advertiser willing to pay a higher rate.

The FCC provides broadcasters the flexibility to establish distinct classes and categories of times as they see fit, so long as there is some apparent benefit to the advertiser relevant to each category.⁸ A broadcaster may, for example, distinguish among advertising categories based on the predicted risk of preemption, but not solely on price or whether an advertiser is a favored client.

In addition to the above categories concerning the risk of preemption, broadcasters further divide commercial spots into categories based on time periods. For example, television stations will divide commercial time into categories such as Weekday Morning, Weekday Early Fringe (e.g., on the fringe of the early news), Weekday Early News, Monday-Saturday Prime News, Weekday Late Fringe, and individual categories for every program aired during weekday Primetime periods. Radio is a bit less complicated, as most stations typically separate their spots into categories such as Morning Drive, Midday, Evening Drive, and Overnight.

The intersection of these time period categories with the classifications above concerning broadcast preemption will greatly impact the value of commercial spots. For example, a fixed-position, 30-second television spot aired during Wednesday primetime might cost upwards of \$1000, while a 50% preemptible spot aired during Monday daytime might cost only \$50. As a result, a significant number of broadcasters have gradually converted to using a "grid" rate card. Grid rate cards not only allow a station to track its advertising inventory on a computer program, but they also facilitate the tracking of rates that might change as often as daily, given changes in market conditions or the amount of advertising inventory remaining.

Grid rate cards also help stations pre-sell commercial spots to clients hesitant to commit to a certain day or period in the future, especially for stations that sell advertising on an auction basis. That is, grid rate cards can create incentives for buyers to purchase commercial time early, before rates increase due to less available inventory. Attached as Exhibit A please find examples of a broadcaster commercial rate card.

Of course, simply creating a grid of rate categories does not tell the whole story, as broadcasters must determine and place a dollar value on the benefit of advertising in each category. Calculating such values will turn on a wide variety of factors that can differ in terms of importance, immediacy and predictability. As a general matter, like other inventory-based goods such as cars and securities, radio and television advertising rates essentially are a product of supply versus demand.

The most important determinant of demand is the popularity of the programming during which an advertisement will run, which is quantified as a program's "ratings share." For radio, a program's ratings are determined by Arbitron, while television programs are measured by Nielsen Media Research. These firms compile data from audience members concerning their listening or viewing patterns for an entire market, and calculate the ratings share for a broadcaster's service during various parts of the day.

⁸ *Codification of the Commission's Political Programming Policies, Report and Order* in MM docket 91-168, 7 FCC Rcd 678, 681 (1991).

A share is simply the number of people tuned to a particular station divided by the total number of listening or viewing at that time. Indeed, many stations calculate and illustrate their spot values as a simple factor of a program's ratings points.

The size and characteristics of a station's market also will affect commercial spot values. That is, the top-ranked radio station in a large market can charge much more for a 30-second commercial than the top-ranked station in a smaller city. Similarly, the format or genre of a radio or television station can affect its commercial values. For example, a station that targets teenagers is likely to charge different advertising rates than another station that targets classical music fans, depending on an advertiser's perception of the spending habits of the targeted audience.

Advertising values are also influenced by cyclical and special events, such as a Presidential election, the Olympic games, and on-going major news events (e.g., the O.J. Simpson trial). An election can have a particularly substantial impact on the supply of advertising inventory, as the demands of political campaigns can affect the amount of spots available to commercial advertisers.

Other factors also affect advertising rates, including, as mentioned above, the health of both the national and local economies, as well as individual industries, can greatly impact the demand for advertising. For example, the automobile industry's advertising budget is usually larger during robust times. Mitigating this, however, is the historical fact that television and radio advertising often remain strong even during tough economic periods, as commercial advertisers battle even harder during such periods to protect their market share.

In a very practical sense, a sales manager must carefully manage the price of commercials. A well-managed broadcast station recognizes that it makes little sense to sell a station's inventory quickly at some given price, because transient business often comes in at the last minute in search of last-chance spots. If the station's advertising inventory is sold out, the station would lose this premium-priced business. Accordingly, many stations aim for an 85 percent sellout rate so they can accommodate last-minute buys. Advertising sales can be a tricky game, however, given the numerous internal and external factors that can impact both the supply and demand of available advertising spots.

2. Describe in detail how broadcasters calculate the LUC offered to political candidates.

Calculation of the LUC is governed by Section 315(b) of the Communications Act and the FCC's relevant rules, which are found at 47 C.F.R. § 73.1942. Simply put, the "lowest unit charge" is the lowest rate that a station "charges its most favored commercial advertisers for the same class and amount of time for the same period." 47 C.F.R. § 73.1952(a)(1). As noted above, the term "class" refers to categories such as preemptible or ROS. The term "amount of time" simply means the unit of time purchased, such as a 30-second or 60-second spot. The term "same period" refers to the

relevant period of the broadcast day, such as prime time or drive time. The "lowest unit charge" allows a candidate the benefit of all discounts, frequency and otherwise, offered to a station's most favored commercial advertiser for the same class and amount, without regard to the frequency of use by the candidate.

Because stations sell commercial time in many different ways, stations will not have one LUC, but instead multiple different LUCs depending on the type and classes of time that a station sells. Examples might include:

- (1) LUC "Preemptible Rate Class" in which the candidate is charged the same lowest unit rate as that paid by a commercial advertiser in a given program or day part (Morning News, Daytime, Prime, etc.);
- (2) LUC "Non-Preemptible Rate Class" in which the candidate is charged a rate that is discounted below the station's Effective Selling Level rate paid by a commercial advertiser currently seeking to purchase spots in the same program or day part (Morning News, Daytime, Prime).

Two important notes about classes of time for candidates should be highlighted. First, a station may offer candidates "non-preemptible" and "fixed position" time as separate classes, so long as the station clearly explains the differences between these two classes of time and offers both classes to commercial advertisers. Also, these classes should provide benefits, in terms of the likelihood of clearance, that are not available with the purchase of lower-priced "preemptible rate class" time.

Second, stations may establish multiple classes of "preemptible" time, so long as these classes are distinguishable in terms of benefits to candidates, such as varying levels of preemption protection. A station must fully disclose the likelihood of clearance for each class of preemptible time, and classes must be distinguished by differences other than price.

The actual calculation of an LUC can be quite complicated. Generally, stations must include in their LUC determination every rate that it is in effect on the station during the political window, including all packages, annual agreements, bonus spots, and volume discounts. Essentially, the FCC's rules allow a candidate to "cherry pick" the best rates from any arrangement or package a station may have with a commercial client.

Certain advertising arrangements are excluded from calculations of the LUC, including barter deals, per inquiry spots, merchandizing and promotional incentives (e.g., billboards, t-shirts), other non-cash incentives such as web services, and charges for production. Stations are not required to place a value on these arrangements for purposes of determining the LUC. Also excluded are any rates that are in effect only outside the political window. However, a station may not schedule a long-standing commercial advertising agreement so that it is in effect only before and after the political window; to do so might imply that the station is attempting to circumvent the LUC rules.

One of the more common situations involves when a station is "sold out" for a particular class of time. Specifically, the FCC has ruled that when a station has sold out in a particular preemptible "rate" class, the station may deem that time as sold out, and then require a candidate to purchase a higher class of preemptible class (e.g., one with less chance of being preempted), or fixed time if there is no higher class of preemptible class. Attached as Exhibit B are some examples of a political rate card.

3. *State whether there are any circumstances under which a member of MBA could offer the LUC to a Federal candidate, absent being required to do so under the Communications Act. Describe all such circumstances.*

Neither the Communications Act nor the FCC's political broadcasting rules establish any kind of minimum amount that political candidates must be charged for political advertising spots. The only prerequisite is that the same low rate is given to all candidates purchasing the same class and amount of time for the same period. Under this Equal Opportunities doctrine, opposing candidates must be provided the opportunity to purchase the same "rate class" at an equal rate.⁹ Thus, under certain circumstances, the rate charged to a political candidate will have to be lower than the LUC. For instance, when a candidate receives airtime for free, perhaps he is also an on-air employee of a station, the opponent of that employee-candidate also must receive airtime free of charge in amounts equal to the amount of time used by the employee-candidate.

* * *

As a general matter, NAB believes that broadcasters must have the flexibility to charge political candidates the LUC, even when a candidate may not have fulfilled the statement requirements under BCRA. Any other conclusion will place radio and television stations in an untenable predicament. Broadcasters simply are not equipped to enforce the many complex provisions of BCRA. They would not have the resources to check advertisements, for example, to determine whether the image of a candidate that accompanies his BCRA disclaimer measures at least 80% of the vertical screen height, and whether that image appeared for at least four seconds. For radio, a broadcaster cannot reasonably be expected to ensure that each and every political ad includes a statement by the candidate identifying himself, and the BCRA disclaimer, but also a statement identifying the office she is seeking. And these are but a few of the many confusing, sometimes internally inconsistent provisions of BCRA that broadcasters would be required to investigate.¹⁰

Such a responsibility would be virtually impossible for many radio and television stations to take on. As the Commission is well aware, many political campaigns are very heated, with opposing candidates employing campaign experts and technology to create and air new political advertisements on almost a daily basis. Indeed, requiring

⁹ See, e.g., *Notice of Apparent Liability for Forfeiture to KAYS, Inc.*, 43 FCC 2d 1183 (1973).

¹⁰ See MBA Letter at 5-6 for a description of how a certain kind of disclaimer statement may comply with BCRA's provisions regarding radio, but not television, and other unanswered questions concerning other aspects of BCRA.

broadcasters to enforce BCRA will mean that some radio and television stations will have to prescreen literally hundreds of political advertisements for BCRA requirements such as that described above. Moreover, it has become common practice for campaigns to submit political spots to broadcasters at the last minute before their scheduled airtime. It simply will not be possible or practical for such stations to prescreen so many political spots, and then engage in the inevitable negotiation with election staffs over whether a certain spot is in compliance with BCRA. The inevitable result of such a process will be hundreds if not thousands of complaints from political campaigns asking the Commission or the FCC to resolve such disputes on an emergency basis.

Accordingly, NAB respectfully requests that the Commission not place such an impossible burden on the already over-extended staffs of radio and television stations. Moreover, given the real possibility that a "wrong" decision could place a station at risk of violating the Commission's federal rules governing corporate, in-kind campaign contributions, NAB believes this issue is firmly within the Commission's purview to resolve.

Respectfully submitted,

**NATIONAL ASSOCIATION OF
BROADCASTERS**

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Washington, D.C. 20036
Tel: (202) 429-5430



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EXHIBIT A

1st Quarter 2005

Updated 1/3/05

M-F DayTime			
Time	Program(s)		
5a-7a	ABC News		\$10
7a-9a	GMA		\$30
9a-10a	Regis and Kelly		\$50
10a-11a	The View		\$50
12p-3p	ABC Soaps		\$60
M-F Early Fringe			
3p-4p	Jane Pauley		\$25
4p-5p	Judge Judy/Judge Joe		\$50
M-F Early News			
5p-530p	23News		\$125
6p-630p	23News		\$125
M-Su Prime News			
630p-11p	Cable	23News NOW BrightHouse 11	\$10
M-F Access/Early Evening			
630p-7p	Millionaire		\$100
7p-730p	Jeopardy		\$180
730p-8p	Wheel of Fortune		\$180
M-F Late News/Late Fringe			
11p-1135p	23 News		\$40
1135p-1205a	Nightline		\$225
1205a-105a	Jimmy Kimmel		\$10
M-Su Overnight			
105a-4a	23News at 11 Encore		\$5
Saturday Programs			
5p-530p	Business Week		\$25
6p-630p	23 News		\$60
630p-7p	The Big Spin		\$70
7p-8p	Jeopardy/Wheel		\$100
11p-1135p	23News		\$40
Sunday Programs			
5-530p	P Allen Smith Gardens		\$25
6-630p	23 News		\$60
630-7p	Ebert & Roeper		\$50

1st Quarter 2005 Page 2

Monday Primetime				
8p-9p		Ex Make/Home Makeover		\$200
9p-10p		The Bachelorette		\$400
10-11p		Supper Nanny		\$200
Tuesday PRIMETIME				
8p-9p		My Wife/Geo Lopez		\$400
9p-10p		Jim/Rodney		\$400
10p-11p		NYPD Blue		\$300
Wednesday PRIMETIME				
8p-9p		Lost		\$800
9p-10p		Alias		\$400
10p-11p		Wife Swap		\$400
Thursday PRIMETIME				
8p-9p		Life as We Know		\$300
9p-10p		Extreme Makeover		\$250
10p-11p		Primetime Live		\$300
Friday PRIMETIME				
8p-9p		8 Simple Rules		\$600
9p-10p		Hope-Faith/Less Perfect		\$600
10p-11p		20/20		\$400
Saturday PRIMETIME				
8-11p		Disney		\$250
Sunday PRIMETIME				
7-8p		Funny Videos		\$400
8-9p		Extreme Mkoover Home Ed		\$1,200
9p-10p		Desperate Housewives		\$1,000
10p-11p		Boston Legal		\$400

RADIO NET RATES

30 SECOND COMMERCIALS

Effective July 1, 2004

	KKJO-FM	KFEQ-AM	KSJQ-FM	KSFT-AM
5am - 10am	\$34	\$30	\$32	\$14
10am - 3pm	\$28	\$30	\$27	\$12
3pm - 7pm	\$30	\$28	\$30	\$12
7pm - 12am	\$24	\$20	\$22	\$7
12am - 5am	\$9	\$7	\$8	\$5
6am - 7pm	\$30	\$25	\$28	\$10
5am - 12am	\$26	\$20	\$24	\$8
24hr ros	\$20	\$18	\$18	\$7

Sunday rates are 50% of earned rate.

60 Seconds...Add \$6.00

Frequency discounts available upon request.

News, Weather, Sports and other Sponsorships Available.

Accounts due and payable by the 15th of the following month.

Mailing Address: P.O. BOX 8550
Street Address:

(6-233-8881 • FAX: 816-279-8280
SSOURF 64506

EXHIBIT B

POLITICAL RATE CARD - CANDIDATE RATES

KAYU-TV FOX 28 / SPOKANE

REVISED: 10/14/2004

WINDOW: 4Q04

EARLY MORNING		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
917	SUN 730-8P	BUSINESS WEEK	45	25	45	25	
919	SUN 8-9A	FOX NEWS SUNDAY	95	50	95	50	

DAYTIME		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
15	MF 9-10A	GOOD DAY LIVE	40	15	40	15	
20	MF 10-11A	LARRY ELDER	30	15	30	15	
30	MF 11-12N	MONTEL WILLIAMS	50	25	50	25	
35	MF 12-1P	PERRY MASON	50	20	50	20	
45	MF 1-2P	FAMILY FEUD	35	15	35	15	
47	MF 2-3P	PAT CROCE	35	10	35	10	
50	MF 3-4P	STARTING OVER	35	15	35	15	
808	SAT 11-1130A	UNDER THE HELMET	35	20	35	20	
810	SAT 1230-1P	ANIMAL ATLAS	55	30	55	30	
823	SAT 1-3P	SATURDAY MOVIE	35	10	35	10	
920	SAT 3-4P	JUST SHOOT / WILL & GRACE	45	20	45	20	
	SUN 10A-12N	MOVIE		35	19		

EARLY FRINGE		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
60	MF 4-5P	LITTLE HOUSE ON THE PRAIRIE	45	25	45	25	
61	MF 5-530P	MALCOLM IN THE MIDDLE	170	125 Fri	170	115 M.F	170
62	MF 530-8P	KING OF THE HILL	220	125 Fri	220	125 M.F	220
63	MF 8-830P	THE SIMPSONS	290	135 Fri	290	135 M.F	290
64	MF 630-7P	THAT 70'S SHOW	340	220 Fri	340	175 M.F	340
928	SUN 4-430P	COLUMBIA COUNTRY		70	40		

ACCESS		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
66	MF 7-730P	WILL & GRACE	290	195 Fri	290	185 M.F	290
67	MF 730-8P	THAT 70'S SHOW	435	200 Fri	435	200 M.F	435

LATE NEWS		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
77	MF 10-1035P	FOX NEWS FIRST AT TEN	195	100	165	75	165

LATE FRINGE		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
80	MF 1035-1105P	MALCOLM IN THE MIDDLE	75	30	75	30	
82	MF 1105P-1135P	BECKER	80	20	80	20	
85	MF 1135-1205A	JUST SHOOT ME	35	10	35	10	
86	MF 1205-1235A	DHARMA & GREG	14	10	14	10	
840	SAT 10-11P	ULTIMATE POKER SHOWDOWN	70	50	70	50	
843	SAT 11-12M	MAD TV	170	50	170	50	
845	SAT 12M-2A	SATURDAY LATE MOVIE	14	5	14	5	
847	SAT 2-4A	SATURDAY LATE LATE MOVIE	14	5	14	5	
937	SUN 10-11P	UNEXPLAINED MYSTERIES	70	35	70	35	
938	SUN 11-12M	MAXIMUM EXPOSURE	35	25	35	25	

ROTATIONS		LUR / I.P.
MF 7A-4P	ROS	15
MF 9A-3P	ROS	8
MF 9A-4P	ROS	8
MF 8A-5P	ROS	40
MF 10A-5P	ROS	10
MF 10A-3P	ROS	20

POLITICAL RATE CARD - CANDIDATE RATES**KAYU-TV FOX 28 / SPOKANE****REVISED: 10/14/2004****WINDOW: 4Q04**

MF 5-8P	ROS	115
MF 5-8P	ROS	200
MF 5-10P	ROS	375
MF 6-7P	ROS	215
MF 7-8P	ROS	200
MF 1105P-1205A	ROS	15
M-SUN 10P-2A	ROS	30
M-SUN 5P-12M	ROS	20
M-SUN 8-10P	PRIME ROS	160
SAT/SUN 10A-8P	ROS	10
SAT/SUN 12N-8P	ROS	30
SAT 12A-4A	ROS	3
SAT/SUN 7A-4P	ROS	25
SUN 4-5P	ROS	40
M-SUN 10-11P	ROS	55

POLITICAL RATE CARD - CANDIDATE RATES**KAYU-TV FOX 28 / SPOKANE****REVISED: 10/14/2004****WINDOW: 4Q04****MLB ON FOX**

				FIXED	LUR / I.P.
	Mon 10/18	5-8p	NLCS Game 5 (if nec)	\$825	\$400
	Tue 10/19	5-8p	ALCS Game 6 (if nec) *	\$825	\$500
	Wed 10/20	1-4p	NLCS Game 6 (if nec)	\$825	\$500
	Wed 10/20	5-8p	ALCS Game 7 (if nec) *	\$825	\$400
	Thu 10/21	5-8p	NLCS Game 7 (if nec)	\$825	\$450
	Sat 10/23	430-730p	World Series Game 1 *	\$1,450	\$1,000
	Sun 10/24	430-730p	World Series Game 2 *	\$1,450	\$1,000
	Tue 10/26	5-8p	World Series Game 3 *	\$1,450	\$1,000
	Wed 10/27	5-8p	World Series Game 4 *	\$1,700	\$1,000
	Thu 10/28	5-8p	World Series Game 5 (if nec) *	\$1,800	\$1,000
	Sat 10/30	430-730p	World Series Game 6 (if nec) *	\$1,800	\$1,000
	Sun 10/31	430-730p	World Series Game 7 (if nec) *	\$2,200	\$1,750

* Non-Mariner Rate.

NFL ON FOX

				FIXED	LUR / I.P.
790	9/12-10/31	9-10am	NFL Pre-Game	\$290	125
792	10/24/2004	10am	St. Louis Rams @ Miami Dolphins	\$875	425
787	10/24/2004	1pm	Seattle Seahawks @ Arizona Cardinals	\$2,425	700
787	10/31/2004	1pm	Carolina Panthers @ Seattle Seahawks	\$2,425	700

POLITICAL RATE CARD -- CANDIDATE RATES**KAYU-TV FOX 28 / SPOKANE****REVISED: 10/14/2004****WINDOW: 4Q04**

PRIME		w/o 10/18		w/o 10/25		w/o 11/1	
		FIXED	LUR / I.P.	FIXED	LUR / I.P.	FIXED	LUR / I.P.
MON 8-9P	TRADING SPOUSES						
MON 9-10P	THE SWAN 2					485	270
MON 8-10P	THE SWAN 2 - Premiere					535	270
MON 9-10P	FOX COMEDIES	435	200	535	350		
TUE 9-10P	FOX COMEDIES	435	200	435	200		
WED 9-10P	FOX COMEDIES	435	200	435	200		
THU 9-10P	FOX COMEDIES	435	175	435	200		
FRI 8-9P	AMERICA'S MOST WANTED	325	200				
FRI 8-9P	OUTRAGEOUS / CRAZIEST VIDEOS			325	150		
FRI 9-10P	THE COMPLEX	385	200	385	200		
SAT 830-10P	FOX COMEDIES	435	175	435	225		
SUN 830-10P	FOX COMEDIES	435	175	435	200		


KERO General Election Political Candidate Rate Card
2004 General Election: November 2, 2004
Effective Dates: 9/20/04-11/2/04
Changes in Bold
Issued: 9/13/04

DAY:	TIME:	PROGRAM:	LUC	
			PRE-EMPTIBLE	NON PRE-EMPTIBLE
M-F	5a-7a	News	\$5	\$10
M-F	7a-9a	GMA	\$20	\$50
M-F	9a-10a	Regis & Kelly	\$30	\$70
M-F	10a-11a	View	\$30	\$70
M-F	12p-3p	ABC Soaps	\$40	\$80
M-F	3p-4p	Jane Pauley	\$20	\$50
M-F	4p-5p	Judge Joe/ Judy	\$25	\$50
Mon	5p-6p	News Pre NFL	\$70	\$145
T-F	5p-530p	23 News	\$70	\$125
T-F	6p-630p	23 News	\$40	\$100
M-Su	630p-11p	23 News Now (Cable)	\$10	\$20
T-F	6:30-7p	Millionaire	\$70	\$125
T-F	7p-7:30p	Jeopardy	\$140	\$200
T-F	730p-8p	Wheel	\$150	\$200
M-F	11-1135p	News	\$30	\$60
M-F	1135p-1205a	Nightline	\$20	\$40
M-F	1205-105am	Jimmy Kimmel	\$5	\$10
Sat	9a-1230p	College Football	\$150	\$275
Sat	12p-4p	College Football	\$150	\$275
Sat	4p-7p	College Football	\$150	\$275
Sat	6-6:30p	23 News @ 6p	\$40	\$90
Sat	6:30-7p	Big Spin	\$20	\$75
Sat	7p-8p	Jeopardy/ Wheel	\$30	\$75
Sun	8a-9a	This Week	\$10	\$25
Sun	1230p-3p	PGA	\$65	\$100
Sun	3-330p	Inside NBA	\$50	\$75
Sun	4p-430p	Business Week	\$25	\$55
Sun	430p-5p	P Allen Smith Gardens	\$10	\$25
Sun	6p-6:30p	23 News @ 6p	\$35	\$80
Sun	6:30p-7p	Ebert & Roper	\$15	\$30
Sun	11p-11:35p	News	\$20	\$50
Sa-Su	1:35a-4a	23 News Encore	\$5	\$10
Mon	6p-8p	Monday Night Football	\$825	\$1,200
Mon	9-930p	23 Yardline	\$100	\$250
Mon	930-10p	Millionaire	\$70	\$140
Mon	10p-11p	The Benefactor	\$200	\$400
Tues	8p-9p	MY Wife/ George	\$250	\$500
Tues	9-10p	Jim/ Rodney	\$250	\$500
Tues	10p-11p	NYPD Blue	\$225	\$400
Wed	8p-9p	Lost	\$200	\$400
Wed	9p-10p	Bachelor	\$300	\$600
Wed	10p-11p	Wife Swap	\$250	\$500
Thurs	8-9p	Extreme Makeover	\$200	\$400
Thurs	9-10p	Life As We Know It	\$150	\$300
Thurs	10p-11p	Primetime Live	\$175	\$300
Fri	8p-9p	8 Simple/ Savages	\$250	\$500
Fri	9p-10p	Hope/ Perfect	\$250	\$500
Fri	10p-11p	20/20	\$200	\$400
Sat	8p-11p	Sat. Movie	\$200	\$300
Sun	7-8p	Funniest Home Video	\$200	\$300
Sun	8p-9p	Extreme Make: Home	\$200	\$500
Sun	9p-10p	Desperate Housewives	\$300	\$600
Sun	10p-11p	Boston Legal	\$250	\$500

Should use Non Pre rate to clear.